
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 475

The Social Security (Housing Costs and Miscellaneous Amendments) Regulations (Northern Ireland) 2007

Amendment of the Jobseeker's Allowance Regulations

4. In Schedule 2 (housing costs) to the Jobseeker's Allowance Regulations (Northern Ireland) 1996⁽¹⁾—

(a) in paragraph 1A⁽²⁾ (previous entitlement to income support)—

(i) for the heading substitute “Previous entitlement to income support or state pension credit”;

(ii) in sub-paragraph (1)(a) for “paragraph 15 or 16” substitute “paragraphs 15 to 17”;

(iii) after sub-paragraph (1) insert—

“(1ZA) Where a claimant or his partner was in receipt of state pension credit not more than 12 weeks before one of them becomes entitled to income-based jobseeker's allowance or, where the claimant or his partner is a person to whom paragraph 13(2) or (10) (linking rules) refers, not more than 26 weeks before becoming so entitled, and—

(a) the appropriate minimum guarantee included an amount in respect of housing costs under paragraphs 11 to 13 of Schedule 2 to the State Pension Credit Regulations (Northern Ireland) 2003, and

(b) the circumstances affecting the calculation of those housing costs remain unchanged since the last calculation of those costs,

the applicable amount in respect of housing costs for income-based jobseeker's allowance shall be the amount applicable in respect of those costs current when entitlement to state pension credit was last determined.”;

(iv) after sub-paragraph (1A) insert—

“(1B) Where either member of a joint-claim couple was in receipt of state pension credit not more than 12 weeks before the couple becomes entitled to a joint-claim jobseeker's allowance, or, where either member is a person to whom paragraph 13(2) or (10) (linking rules) refers, not more than 26 weeks before becoming so entitled, and—

(a) the appropriate minimum guarantee included an amount in respect of housing costs under paragraphs 11 to 13 of Schedule 2 to the State Pension Credit Regulations (Northern Ireland) 2003, and

(b) the circumstances affecting the calculation of those housing costs remain unchanged since the last calculation of those costs,

⁽¹⁾ S.R. 1996 No. 198; relevant amending Regulations are S.R. 1997 Nos. 435 and 541, S.R. 2000 No. 350 and S.R. 2004 No. 461
⁽²⁾ Paragraph 1A was inserted by regulation 5(2) of S.R. 1997 No. 435 and amended by paragraph 54(2) of Schedule 2 to S.R. 2000 No. 350

the applicable amount in respect of housing costs for joint-claim jobseeker's allowance shall be the amount applicable in respect of those costs current when entitlement to state pension credit was last determined.”, and

(v) in sub-paragraph (2) after “income support” insert “or (as the case may be) state pension credit”.

(b) in paragraph 4 (housing costs not met) after sub-paragraph (4A)(3) insert—

“(4B) A person treated by virtue of paragraph 13 as being in receipt of a jobseeker's allowance for the purposes of this Schedule is not to be treated as entitled to a jobseeker's allowance for the purposes of sub-paragraph (4).”, and

(c) in paragraph 11(4) (the standard rate)—

(i) in sub-paragraph (2) for “sub-paragraphs (3), (4) and (6)” substitute “sub-paragraph (3)”, and

(ii) omit sub-paragraphs (4) to (6).

(3) Sub-paragraph (4A) was inserted by regulation 13(2) of S.R. 1997 No. 541

(4) Paragraph 11 was substituted by regulation 3(c) of S.R. 2004 No. 461